REMARKS

The Office Action dated June 14, 2005, has been received and carefully noted. The following remarks are submitted as a full and complete response thereto. Claims 1-30 are submitted for consideration.

Claims 1-10, 13-23 and 26-28 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,654,610 to Chen. The rejection is traversed as being based on a reference that neither teaches nor suggests the novel combination of features clearly recited in independent claims 1, 14, 27 and 28.

Claim 1, upon which claims 2-13 depend, recites a method of providing an announcement in a communications network. The method includes setting up a first level communication session for a first network element and determining, by the communications network, that an announcement is to be played to the first network element. The method also includes sending an identity of a second network element which is to play the announcement on the first level communication session to the first network element and setting up a second level communication session by the first network element. The method further includes setting the second level communication session parameters in accordance with the transmitted identity including initiating modification of communication channel parameters based on identity of the second network element and playing the announcement to the first network element.

Claim 14, upon which claims 15-26 depend, recites a program storage device readable by a machine, tangibly embodying a program of instructions executable by the

machine to perform a method of providing an announcement in a communications network. The method includes setting up a first level communication session for a first network element and determining, by the communications network, that an announcement is to be played to the first network element. The method also includes sending an identity of a second network element which is to play the announcement on the first level communication session and setting up a second level communication session by the first network element. The method further includes setting the second level communication session parameters in accordance with the transmitted identity including initiating modification of communication channel parameters based on identity of the second network element and playing the announcement to the first network element.

Claim 27 recites for a communications network made of network elements, where one or more network element is a mobile terminal configured such that for an originating call a mobile terminal is responded to by an announcement from another network element in accordance with the following step. The steps include setting up a first level communication session for the mobile terminal and determining, by the communications network, that an announcement is to be played to the mobile terminal. The steps also include sending an identity of a network element which is to play the announcement on the first level communication session to the first network element, setting up a second level communication session by the mobile terminal based on parameters received from

the communication network conforming to identity of the network element and playing the announcement to the mobile terminal.

Claim 28 recites for a communications network made of network elements, where one or more network element is configured so that for an originating call an announcement is made from a network element in response to a call setup to the called party in accordance with the following steps. The steps include setting up of a first level communication for a first network element, determining, by the communications network, that an announcement is to be played to the first network element, sending an identity of a second network element which is to play the announcement on the first level communication session to the first network element and setting up a second level communication session between the first network element and the communication network in accordance with the transmitted identity of the second network element in which the second network element plays the announcement to the first network element.

As will be discussed below, the cited prior art reference of Chen fails to disclose or suggest the elements of any of the presently pending claims.

Chen teaches that in previous RSVP operation, a user sends a PATH message with traffic characteristics information to indicate the characteristics of traffic that is to be sent from the user. Upon receipt of the PATH message, the receiver sends a RESV message that includes a QoS request. As such, the previous RSVP protocol is a unidirectional QoS signaling protocol that delivers a QoS request from the receiver to a transmitter. Hence, the negotiated QoS setup via the RSVP only applies to the traffic flowing from

the transmitter to the receiver. For the negotiation of QoS requirement of traffic in the opposite direction, a separate RSVP session must be initiated, which leads to a racing problem. Col. 1, lines 28+. Therefore, Chen discloses a technique for implementing a two way packet data protocol (PDP) for bidirectional QoS negotiation and control in a UMTS network. The UMTS network includes a terminal equipment that is connected to a mobile terminal. The mobile terminal is also connected to a UTRAN via a radio interface. The UTRAN is further connected to a core network. In describing the two way PDP for bidirectional QoS, Chen assumes that a primary PDP context has been established for the mobile terminal and no active secondary PDP context has been established for an existing RSVP session. Figure 3A shows a scenario for uplink QoS wherein the mobile terminal terminates the first-time PATH message and generates an Activate Secondary PDP Context Request message with appropriate QoS. The mobile terminal transmits the Activate Secondary PDP Context Request message to the core network. The secondary PDP context is modified if a subsequent PATH message presents different QoS or traffic specifications and a refresh RESV message is created carrying the new negotiated uplink QoS. The refresh RESV is sent to the terminal equipment/transmitter. Col. 3, line 20-Col. 4, line 42

Applicant submits that Chen simply fails to teach or suggest the combination of elements in any of the presently pending claims. The Office Action alleges that Chen teaches all of the elements of independent claims 1, 14, 27 and 28. Specifically, the Office Action alleges that Chen suggests determining, by the communication network,

that an announcement is to be played to the first network element as recited in claims 1, 14 27 and 28. However, since there is no teaching or suggestion in Chen of providing announcement in mobile-originated calls, unlike what is alleged in the Office Action, one skilled in the art would not assume that Chen suggests determining, by the communication network, that an announcement is to be played to the first network element as recited in claims 1, 14 27 and 28.

The Office Action also alleges that figures 3a-7 of Chen teach sending an identity of a second network element which is to play the announcement on the first level communication session to the first network element and setting up a second level communication session by the first network element as recited in claims 1, 14, 27 and 28. Assuming that the receiver in Chen is equivalent to the second network element of the present invention, there is no teaching or suggestion in Chen of the receiver transmitting it's identity to the mobile terminal as recited in claims 1, 14, 27 and 28. Figure 8 and the associated description of the present invention describe a technique for providing announcements in mobile-originated calls. According to the present invention, when the mobile station sends a setup message that is intercepted by a network which has been instructed to forward an announcement message in response to a the call setup message, the equipment, which is different from the called party, that will play the announcement acknowledges the setup messages with a message that includes the equipment's Transport Address, among other information. The mobile station then uses the received equipment's identity to activate a secondary PDP context with the equipment. See Pages

17-18. In Chen, on the other hand, the receiver merely sends a RESV message with a QoS request. There is no teaching or suggestion in Chen of the receiver sending its identity so that the mobile terminal can establish a connection with the receiver. In fact, in Chen, the receiver already has a session with the mobile terminal. As such, the receiver of Chen does not need the identity of the "equipment" in order to establish a session.

Furthermore, the Office Action alleges that figures 3A-7 and Col. 4, lines 32-42 of Chen teach setting the second level communication session parameters in accordance with the transmitted identity including initiating modification of communication channel parameters based on identity of the second network element and playing the announcement of the first network element as recited in claims 1, 14, 27 and 28. The cited sections of Chen merely teach that for uplink QoS, the mobile terminal generates an Activate Secondary PDP Context Request message with appropriate QoS, transmits the message to the core network wherein the secondary PDP context is modified if a subsequent PATH message presents different QoS or traffic specifications and a refresh RESV message is created carrying the new negotiated uplink QoS. The refresh RESV is sent to the terminal equipment/transmitter. There is no teaching or suggestion in Chen of the mobile terminal setting the second level communication session parameters in accordance with the transmitted identity including initiating modification of communication channel parameters based on identity of the second network element as recited in claims 1, 14, 27 and 28. Moreover, as mentioned above, Chen does not discuss

or suggest playing an announcement on the mobile terminal by an equipment as recited in claims 1, 14, 27 and 28. Therefore, Applicant requests that the 102(e) rejection be withdrawn because Chen does not teach or suggest all of the elements of claims 1, 14, 27 and 28 and hence dependent claims 2-10, 13, 15-23 and 26.

Claims 11-12 and 24-25 were rejected under 35 U.S.C. 103(a) as being unpatenable over Chen in view of U.S. Patent No. 6,621,793 to Widegren. The rejection is traversed as being based on references that neither teach nor suggest the novel combination of features clearly recited in independent claims 1 and 14, upon which claims 11-12 and 24-25 depend.

Widegren teaches a method of filtering and gating data flow in a QoS connection between a remote host and user equipment in a packet data network using policy control mechanisms. See at least the abstract. Widegren does not cure any of the deficiencies to Chen as outlined above. Therefore, Applicant submits that that neither Chen nor Widegren, whether taken singly or combined, teaches or suggests the combination of elements clearly recited in claims 1 and 14, upon which claims 11-13 and 24-25 depend. Hence, Applicant requests that this rejection be withdrawn.

Claims 29 and 30 were rejected under 35 U.S.C. 103(a) as being unpatenable over Chen in view of U.S. Publication No. 2002/0034166 to Barany. The rejection is traversed as being based on references that neither teach nor suggest the novel combination of features clearly recited in independent claim 28, upon which claims 29 and 30 depend.

Barany teaches a two way resource reservation technique in a telecommunication system. See at least the abstract. Barany also does not cure any of the deficiencies to Chen as outlined above. Therefore, Applicant submits that neither Chen nor Barany, whether taken singly or combined, teaches or suggests the combination of elements clearly recited in claim 28, upon which claims 29 and 30 depend. Hence, Applicant requests that this rejection be withdrawn.

As noted previously, claims 1-30 recite subject matter which is neither disclosed nor suggested in the prior art references cited in the Office Action. It is therefore respectfully requested that all of claims 1-30 be allowed and this application passed to issue.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the applicants respectfully petition for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,

Arlene P. Neal Reg # 43437
Registration No. 43,828

Customer No. 32294
SQUIRE, SANDERS & DEMPSEY LLP
14TH Floor
8000 Towers Crescent Drive
Tysons Corner, Virginia 22182-2700
Telephone: 703-720-7800
Fax: 703-720-7802

APN:kmp
Enclosures: Petition for a Three-Month Extension of Time
Check No. 13749